

Appln No. 10/789,218
Amdt date May 13, 2008
Reply to Office action of November 16, 2007

REMARKS/ARGUMENTS

Claims 21-27, 32, 33, 36 and 38-43 are pending in the application. Applicants have presented new claim 43. Claims 27, 32, 33 and 36 have been withdrawn from consideration.

Applicants' attorney, Saeid Mirsafian, conducted a telephone interview with Examiners Tyler and Shaver on January 23, 2008. Applicants' attorney and the Examiners discussed the rejection of claims 38-42 over Speas and amendments to claim 38 that could overcome the rejection. Applicants' attorney and the Examiners could not reach an agreement. However, the Examiners indicated that amending claim 38 to recite "an outwardly extending nozzle permanently attached to the container" would overcome the Speas reference. Applicants' attorney and the Examiners also discussed new claim 43, which recites "a collapsible and disposable soap or lotion container having a pre-existing outlet." The Examiners indicated that new claim 43 overcomes the Speas reference. Applicants would like to thank the Examiners for their time and effort in conducting the interview.

Claims 38-40 have been rejected under 35 U.S.C. 102 (b) over Speas (US 3,035,737). Applicants have amended claim 38 to recite "an outwardly extending nozzle permanently attached to the container." Because Speas fails to teach or suggest an outwardly extending nozzle permanently attached to the container, Applicants believe that claim 38 and dependent claims 39 and 40 are patentable over Speas.

Claims 41 and 42 have been rejected under 35 U.S.C. 103 (a) over Speas (US 3,035,737) in view of Blenkush (4,934,655). Because claim 38 is patentable over Speas, Applicants believe that claims 41 and 42 are also patentable over Speas in view of Blenkush.

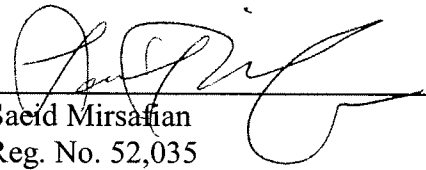
Applicants have presented new claim 43, which recites "a collapsible and disposable soap or lotion container having a pre-existing outlet defined by an outwardly extending fixed nozzle." Speas does not teach or suggest a container having a pre-existing outlet defined by an outwardly extending fixed nozzle. Therefore, Applicants believe that claim 43 is patentable over Speas.

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Applicants believe that claims 38-43 are now in condition for allowance.

Respectfully submitted,
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